

REMARKS

This Amendment responds to the Final Office Action mailed on July 29, 2008. Claims 1 and 54 are amended. New claims 55 and 56 are added. Reconsideration is respectfully requested in light of these amendments and the following remarks.

Examiner's Interview

The undersigned thanks Examiner Darno for the courtesies extended during a telephone interview on August 11, 2008. During the interview, the pending claims and cited Chow reference (U.S. 6,980,817) were discussed. The remarks contained herein further summarize the interview.

Claim Rejections

In the Final Office Action, claims 1-2, 5-13 and 54 are rejected under 35 U.S.C. § 102(e) as being anticipated by Chow (U.S. 6,980,817), and claims 3-4, 14 and 16-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chow in view of Lewis (U.S. 2004/0087300). The patent owner respectfully disagrees with these rejections. Nonetheless, independent claims 1 and 54 have been amended to further distinguish over the cited references.

The cited Chow reference discloses a procedure for over-the-air activation of a mobile phone. Specifically, the over-the-air activation process described in Chow involves two steps that are explained at columns 13-15. First, when the mobile phone is purchased, the owner or the salesperson telephones a customer service center to provide the point-of-sale information to the service provider, such as the subscriber's name, address, credit card number, home directory number, device serial number, PIN number and verification number. The customer service representative enters this information into a database and then provides the customer with a "unique data word" and a PIN that can be used to activate the mobile phone. Then, in order to

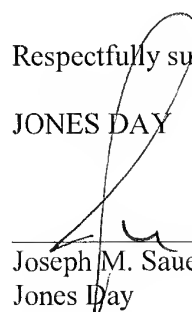
activate the service, the owner calls the service provider from the mobile phone and provides the unique data word and PIN, causing the service to be activated.

In the Final Office Action, the Examiner equates Chow's description of a telephone call from the salesperson at a retail outlet to provide point-of-sale information as corresponding to the claimed provisioning request message generated by an external system and received by a provisioning system. As discussed with Examiner Darno during the August 11, 2008 telephone interview, the independent claims have been amended to clarify that the provisioning request message is an electronic message, not a telephone call by a salesperson. For further clarity, dependent claims 55 and 56 have also been added to recite an embodiment in which the electronic message is an XML message. Examiner Darno agreed that these amendments distinguish the claims over the telephone call described in the cited Chow reference. For at least this reason, the patent owner submits that the claims are now in condition for allowance.

The Examiner is requested to telephone the undersigned if, upon further review, he determines that the claims are not presently in condition for allowance.

Respectfully submitted,

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